



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/065,526	10/25/2002	Craig Duray Brossman	BLD920010031	2143
33595	7590	12/12/2006	EXAMINER	
INTERNATIONAL BUSINESS MACHINES CORPORATION 9000 SOUTH RITA ROAD TUCSON, AZ 85744			ROHWER, JACOB P	
			ART UNIT	PAPER NUMBER
			2625	

DATE MAILED: 12/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/065,526	<b>Applicant(s)</b> BROSSMAN ET AL.	
	<b>Examiner</b> Jacob P. Rohwer	<b>Art Unit</b> 2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 29 September 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 October 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### ***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 29 Sept 2006 has been entered.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 1, 4-6, 9-11 and 14-20** are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No 6,476,927 to Schwarz Jr, in view of US Patent No 5,604,843 to Shaw et al.

Regarding claim 6, Schwarz Jr discloses an apparatus comprising:

a plurality of printers; **(Fig 1 #20(A-N))**

an information handling system **(Fig 1 #14 and #15)** communicating with said plurality of printers for selectively transmitting thereto specific print source files; **(Col 4 Lin 48-62, the server identifies an appropriate printer and then the print driver on the client computer sends the print source file to the appropriate printer.)**

Art Unit: 2625

the information handling system allowing an operator to select for a specific print source file a device independent set of desired printer options stored in a job ticket associated with the print source file; **(Fig 2, Col 5 Lin 2-9, the options are selected from a pool of options which is a union of options consisting of all available options, independent of the device.)**

compare the operator selected printer options with a definition of printer capabilities and then **(Fig 7 #72 and #74, Col 5 Lin 64—Col 6 Lin 3)**

send the print source file to a selected printer. **(Fig 8 #26)**

signal an error if the printer options are unavailable within the defined capabilities. **(Fig 7 #80)**

Although, Schwarz Jr discloses a system that allows a user on a client computer to select from a device independent set of printer options in a pool, and then send the print source file to an appropriate printer amongst a plurality of a printers (as specified above), he does not expressly disclose or go into detail in relation to that each printer has printer capabilities which vary from other printers in the multi-printer environment; that the information handling system has a processor and memory associated with the processor storing program instructions accessible to said processor; mapping the device independent options to at least one printer specific command for one of the plurality of printers; retaining a definition of printer capabilities for each printer; and then converting the device independent printer options to at least one printer specific command.

However, in light of the Schwarz Jr Reference, these limitations are obvious in view of commonly known prior art supported by the Shaw Reference. Shaw discloses a system and method for interfacing with a computer output device, such as a printer, and more specifically details that that each printer has printer capabilities which vary from other printers in the multi-printer environment; **(Fig 2 #105, Col 4 Lin 65—Col 5 Lin 8 discloses attributes associated with different models of printers)** that the information handling system has a processor and memory associated with the processor storing program instructions accessible to said processor (commonly known to be located for example on the client computer specified in Schwarz); **(Fig 2 #100, Col 3 Lin 62-64)** mapping options **(Fig 6)** to at least one printer specific command for one of the plurality of printers; **(Col 8 Lin 29-55)** retaining a definition of printer capabilities for each printer; **(Col 8 Lin 43-55)** and then converting the device independent printer options to at least one printer specific command. **(Col 8 Lin 32-35)**

The Schwarz Jr and the Shaw Patents are combinable because they both come from the same field of endeavor relating to printing.

At the time of the invention it would have been obvious to one of ordinary skill in the art, to use the plurality of heterogeneous printers, the processor, the memory and the disclosure of the drivers rendering the job as specified in Shaw, in order to convert and output the print token and associated print job with printer specific commands to the appropriate printers determined as specified in Schwarz Jr.

The suggestion/motivation for doing so would have been to provide an application on a client computer that can operate independently of the functionality and

Art Unit: 2625

capabilities of one or more printers, when it comes to providing printer data options or settings. **(Shaw, Col 8 Lin 30-33)**

Therefore, it would have been obvious to combine the Schwarz Jr and Shaw Patents in order to obtain the invention as specified in claim 6.

Regarding claim 9, Shaw further discloses the apparatus according to claim 6 wherein said program instructions when executing on said processor are further effective to incorporate into a printable format data file the at least one printer specific command. **(Fig 6, Col 4 Lin 54-56 and Col 7 Lin 45-46)**

Regarding claim 10, Schwarz Jr further discloses the apparatus according to claim 6 wherein said program instructions when executing on said processor are further effective to signal at least a selected one of c) a message indicating that the requested option capability exceeds limits available to a printer which has a limited capability for the requested option. **(Fig 7 #80)**

Regarding claim 18, the combination further discloses in Schwarz Jr, an apparatus according to claim 6 wherein said program instructions when executing on said processor are further effective to allow the operator to select a specified printer of the plurality of printers for the specific print job. **(Col 5 Lin 17-26)**

Regarding claim 19, the combination further discloses in Schwarz Jr, an apparatus according to claim 18 wherein said program instructions when executing on said processor are further effective to compare the definition of printer capabilities for the specified printer with the set of device independent printer options to determine if

Art Unit: 2625

the device independent set of desired printer options is within the defined capabilities of the specified printer. **(Fig 7 #74)**

Regarding claims 1, 4, 5, 16 and 17, please see rejections of claims 6, 9, 10, 18 and 19 above. Additionally the apparatus of claims 6, 9, 10, 18 and 19 performs the methods of claims 1, 4, 5, 16 and 17.

Regarding claims 11, 14, 15 and 20, please see rejections of claims 6, 9, 10 and 18 above. Additionally, Shaw discloses a program. **(Col 3 Lin 64)**

**Claims 2-3, 7-8 and 12-13** are rejected under 35 U.S.C. 103(a) as being unpatentable over Schwarz Jr and Shaw et al as specified in claims 1, 6 and 11 above, further in view of US Patent Application Publication No 2002/0015180 to Tominaga.

Regarding claims 7 and 8, the combination of Schwarz Jr and Shaw discloses the apparatus according to claim 6 wherein said program instructions when executing on said processor are further effective to store a plurality of definitions of printer capabilities **(Schwarz Jr Fig 7 #74, Shaw Col 8 Lin 43-55)**, and the stored definitions include command formats of the plurality of printers that are mapped to the device independent set of printer options as specified in the rejection of claim 6 above.

Although, Schwarz Jr discloses three printers **(Fig 1 #20(A-N))** and different commands for each printer, the combination does not expressly disclose that at least two (claim 7) and at least three (claim 8) of the stored definitions and printer device data and capabilities are in differing command formats.

However, Tominaga has been found to disclose a document server that provides RIP processing according to at least two and three command formats. (**Fig 12 #1203(a-c), Para [0115]**)

At the time of the invention it would have been obvious to one of ordinary skill in the art to modify the combination of Schwarz Jr and Shaw to provide the processing of print jobs in two and three differing command formats as specified in Tominaga.

The suggestion/motivation for doing so would have been to provide a printing environment that can output a specified job, according to differing command formats. This would allow a wider variety of output jobs on more printers.

Therefore it would have been obvious to combine Schwarz Jr and Shaw with the Tominaga Publication in order to obtain the inventions as specified in claims 7 and 8.

Regarding claims 2 and 3, please see rejections of claims 7 and 8 above. Additionally the apparatus of claims 7 and 8 performs the methods of claims 2 and 3.

Regarding claims 12 and 13, please see rejections of claims 7 and 8 above. Additionally, Shaw discloses a program. (**Col 3 Lin 64**)

### ***Response to Arguments***

Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jacob P. Rohwer whose telephone number is 571-272-5509. The examiner can normally be reached on M-F 9:00-5:30.



Art Unit: 2625

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly Williams can be reached on 571-272-7471. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

\*\*\*

RR

12/4/06



MARK ZIMMERMAN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600